

EXHIBIT 7

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION
4 _____
5)
6) Civil Action No.
7 In Re FLINT WATER CASES 5:16-cv-10444-JEL-MKM
8) (Consolidated)
9) Hon. Judith E. Levy
10) Mag. Mona K. Majzoub
11 _____)

10 HIGHLY CONFIDENTIAL
11 VIDEOTAPED DEPOSITION OF DARNELL EARLEY
12 Thursday, July 30, 2020
13 Volume I

14
15 Remote oral deposition of DARNELL EARLEY,
16 conducted at the location of the witness, 535
17 Griswold Street, Detroit, Michigan at 9:07 a.m., on
18 the above date, before LAUREL A. FROGNER, a
19 Registered Professional Reporter, Certified
20 Realtime Reporter, Certified Shorthand Reporter and
21 Notary Public for the State of Michigan.

22
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17 ALSO PRESENT:

18 ROBERT MARTIGNETTI, Videographer

Golkow Litigation Services

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1 Q. I'm sorry, I didn't mean to cut you off.

2 A. Yeah, I don't recall whether I did or not.

3 Q. Just to wrap this up, did you ever receive the
4 statement that you were seeking from the MDEQ that
5 the water was safe to drink?

6 A. I don't think so, no.

7 Q. And, sir, just to finish up here, I'm going to stop
8 sharing my screen because I'm just running out of
9 time here, your tenure, as we talked about earlier,
10 ended shortly after this in January 12th or 13th,
11 2015, right?

12 A. After, yeah, it ended after the memo you just showed
13 me, yes.

14 Q. Yeah, exactly. So you understand that just before
15 you left, I believe it was January 12th or
16 thereabouts, you received a letter from Sue McCormick
17 of DWSD in which she expressed the DWSD's willingness
18 to have -- provide Detroit water to the City of Flint
19 as the City's water supply, right?

20 A. Yes.

21 MR. KIM: Objection as to form.

22 BY MR. ROGERS:

23 Q. And did you act on that letter or not?

24 A. No.

1 Q. And so that's because you left as the Emergency
2 Manager shortly after that, right?

3 A. Yes.

4 Q. So who took over -- Mr. Ambrose took over for you as
5 the Emergency Manager, right?

6 A. Correct.

7 Q. And so, sir, tell me about the conversation, if any,
8 that you had with Mr. Baird and/or Ms. Brader about
9 her concerns that she had expressed in October 2014.

10 A. My response would have been about the feasibility of
11 switching back, and whether or not there would be
12 funds for such. I don't recall the specifics of it,
13 but in the present circumstance it was not feasible
14 because the City didn't have any money.

15 Q. So the reason, from your point of view as the
16 Emergency Manager, that you did not consider
17 returning to the Detroit Water supply source is
18 funding, the City didn't have the money, is that what
19 you're saying?

20 A. No, not entirely. Again --

21 MR. KIM: Objection.

22 THE WITNESS: -- I have stated that the
23 consultants and the engineers and the Department of
24 Environmental Quality were all telling me that the

1 water was safe to drink. No one had presented to me
2 a public health issue. We were dealing with the
3 issues that we were presented as being contaminants
4 in the water supply during my tenure.

5 BY MR. ROGERS:

6 Q. Okay. Thank you, Mr. Earley. I'll stop my
7 questioning here and reserve whatever time I have
8 left. Let's go off the record just for a minute,
9 and, Robert, then you can tell me how much time I
10 used, please. Thank you.

11 THE VIDEOGRAPHER: The time is 11:28 a.m.
12 and we're off the record.

13 (A short recess was taken.)

14 THE VIDEOGRAPHER: The time is 11:45 a.m.
15 and we're on the record.

16 MR. ERICKSON: This is Philip Erickson. I
17 represent the LAN defendants. As I've said off the
18 record, we ceded 30 minutes of our time to VNA, and
19 we have no questions at this time and reserve our
20 remaining 37 minutes for recross.

21 MR. THOMPSON: This is Craig Thompson. I
22 represent Rowe Professional. We have ceded time as
23 well, 30 minutes to VNA, and we're going to reserve
24 the balance of our time, which would be, what is it,